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28 **Lead Counsel for Plaintiff and the Class**

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

17
 18 ADRIAN MONGELI, Individually, And)
 19 On Behalf Of All Others Similarly Situated,))

19) **CASE NO.: 3-06-CV-03936 MJJ**

20) **CLASS ACTION**

21) Plaintiff,)
 22))

22) **STIPULATION AND [PROPOSED]**
 23) **ORDER CONTINUING CASE**
 24) **MANAGEMENT CONFERENCE**

25 vs.)

26)
 27 TERAYON COMMUNICATION) **DATE: August 28, 2007**
 28 SYSTEMS, INC., ZAKI RAKIB, JERRY) **TIME: 2:00 P.M.**
 29 D. CHASE, MARK A. RICHMAN,) **CTRM: 11, 9th Floor**
 30 EDWARD LOPEZ, RAY FRITZ, CAROL)

31 LUSTENADER, MATTHEW MILLER,)

32 SHLOMO RAKIB, DOUG SABELLA,)

33 CHRISTOPHER SCHAEPE, MARK)

34 SLAVEN, LEWIS SOLOMON, HOWARD)

35 W. SPEAKS, ARTHUR T. TAYLOR,)

36 DAVID WOODROW, and ERNST &)

37 YOUNG, LLP)

38)

1 WHEREAS, on March 27, 2007, the Clerk of the Court issued a Notice Resetting Case
2 Management Conference (“CMC”), scheduling the CMC to July 24, 2007 at 2:00 p.m.;

3 WHEREAS, by stipulation among the parties, the hearings on Defendants’ Motions to
4 Dismiss were rescheduled to July 24, 2007 at 9:30 a.m.;

5 WHEREAS, on April 2, 2007, the Clerk of the Court issued a Notice rescheduling the CMC
6 to August 28, 2007 at 2:00 p.m.;

7 WHEREAS, on July 20, 2007, the Clerk of the Court issued a Notice vacating the July 24,
8 2007 hearings on Defendants’ Motions to Dismiss;

9 WHEREAS, on July 27, 2007, the Clerk of the Court issued a Notice resetting the hearings
10 on Defendants’ Motions to Dismiss for October 10, 2007 at 2:30 p.m.;

11 WHEREAS, the parties have conferred and agreed that the litigation should proceed in a
12 logical and efficient manner;

13 WHEREAS, the parties have conferred and agreed that the Case Management Conference
14 should be adjourned to a date after the Court’s ruling on Defendants’ Motions to Dismiss;

15
16 NOW THEREFORE, it is hereby STIPULATED and AGREED, subject to Court approval,
17 that:

18 1. The Case Management Conference, currently scheduled for August 28, 2007 at 2:00
19 p.m. before the Honorable Martin J. Jenkins, United States District Court, Northern District of
20 California, San Francisco Division, Courtroom 11, 19th Floor, is hereby continued to November 6,
21 2007 at 2:00 p.m.

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1 2. The parties will file a Joint Case Management Statement, pursuant to Civil L.R. 16-
2 9, ten (10) days prior to the Case Management Conference.

4 || IT IS SO STIPULATED:

5 || Dated: August 8, 2007

Michael D. Braun
BRAUN LAW GROUP, P.C.

By: /S/ MICHAEL D. BRAUN
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12400 Wilshire Blvd., Suite 920
Los Angeles, CA 90025
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Liaison Counsel for Plaintiff and the Class

Dated: August 8, 2007

Patrick E. Gibbs
Jennie Foote Feldman
LATHAM & WATKINS LLP

By: /S/ JENNIE FOOTE FELDMAN
Jennie Foote Feldman
140 Scott Drive
Menlo Park, CA 94025
Tel: (650) 328-4600
Fax: (650) 463-2600

Counsel for Defendant Terayon Communication Systems, Inc. and Individual Defendants

19 | Dated: August 8, 2007

Michael J. Lawson
John H. Hemann
Sheila A. Jambekar
MORGAN, LEWIS & BOCKIUS LLP

By: /S/ SHEILA A. JAMBEKAR
Sheila A. Jambekar
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Spear Street Tower
San Francisco, CA 94105
Tel: (415) 442-1000
Fax: (415) 442-1001

Counsel for Defendant Ernst & Young LLP

1 **~~[PROPOSED]~~ ORDER**

2 Upon the Stipulation of the parties, and for good cause appearing,

3 IT IS HEREBY ORDERED THAT:

4 1. The Case Management Conference, currently scheduled for August 28, 2007 at 2:00
5 p.m. before the Honorable Martin J. Jenkins, United States District Court, Northern District of
6 California, San Francisco Division, Courtroom 11, 19th Floor, is hereby continued to November 6,
7 2007 at 2:00 p.m.

8 2. The parties will file a Joint Case Management Statement, pursuant to Civil L.R. 16-
9 9, ten (10) days prior to the Case Management Conference.

10
11 DATED: _____ 8/13 _, 2007


12 HON. MARTIN J. JENKINS
13 U. S. DISTRICT COURT JUDGE

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PROOF OF SERVICE

4 I am employed in the county of Los Angeles, State of California, I am over the age of 18 and
5 not a party to the within action; my business address is 12400 Wilshire Boulevard, Suite 920, Los
Angeles, CA 90025.

6 On August 9, 2007, using the Northern District of California's Electronic Case Filing
7 System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s)
described as:

STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE

10 The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

11 Lionel Z. Glancy, Esq. info@glancylaw.com
12 Michael M. Goldberg, Esq. info@glancylaw.com
13 Kim E. Miller, Esq. kim.miller@kgscounsel.com
14 Maya Saxena, Esq. msaxena@saxenawhite.com

Counsel for Plaintiffs

17 Patrick Edward Gibbs, Esq. patrick.gibbs@lw.com
zoila.aurora@lw.com

18 **Counsel for Defendant**
19 **Terayon Communications Systems, Inc.**
and Individual Defendants

20 Sheila Anil Jambekar, Esq. sjambekar@morganlewis.com
21 John Henry Hemann, Esq. jhemann@morganlewis.com
22 Michael John Lawson, Esq. michael.lawson@morganlewis.com

23 | Counsel for Defendant Ernst & Young LLP

24 || On August 9, 2007, I served the document(s) described as:

**STIPULATION AND [PROPOSED] ORDER CONTINUING
CASE MANAGEMENT CONFERENCE**

by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

1 Lewis Kahn, Esq.
2 KAHN GAUTHIER SWICK, LLC
3 650 Poydras Street, Suite 2150
4 New Orleans, LA 70130
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6 Fax: (504) 455-1498

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13 **Lead Counsel for Plaintiff**
14 **Adrian G. Mongeli and the Class**

15 Bruce M. Cormier, Esq.
16 Joel E. Bonner, Esq.
17 ERNST & YOUNG LLP
18 1225 Connecticut Avenue, NW
19 Washington, D.C. 20036
20 Tel: (202) 327-7603
21 Fax: (202) 327-7601

22 **Counsel for Defendant**
23 **Ernst & Young LLP**

24 I served the above document(s) as follows:

25 BY MAIL. I am familiar with the firm's practice of collection and processing
26 correspondence for mailing. Under that practice it would be deposited with U.S. postal service on
27 that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course
28 of business. I am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit for mailing in an
affidavit.

I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the following electronic mail address provided by the Securities Class Action Clearinghouse:

scac@law.stanford.edu

I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on August 9, 2007, at Los Angeles, California 90025.

25 _____ /S/ LEITZA MOLINAR
26 _____ Leitza Molinar